

WEMMH/SB/21 (4/03)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/766,357	
	Filing Date	January 28, 2004	
	First Named Inventor	Brian LAW	
	Group Art Unit	3754	
	Examiner Name	Phillippe Derakshani	
Total Number of Pages in this Submission	4	Attorney Docket Number	1104-764/ RKE-079

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual Name	James M. Durlacher Woodard, Emhardt, Moriarty, McNett & Henry LLP	
Signature	<i>James M. Durlacher</i>	
Date	September 13, 2006	

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1104-764/JMD/#419279

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In re patent application of:)
Brian LAW, et al.) Before the Examiner
Serial No. 10/766,357) Philippe Derakshani
Filed January 28, 2004) Group Art Unit 3754
CHILD-RESISTANT DISPENSING) September 13, 2006
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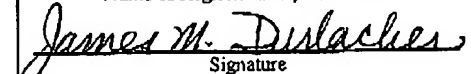
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RESPONSE TO
RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated August 18, 2006, Applicants provisionally elect Species 1 directed to FIGS. 1-4, with traverse. The claims encompassing the elected species are believed to be claims 1-9.

It is the opinion of the Applicants that the various inventive features represented by FIGS. 5-16, identified by the Examiner as Species 2-8, are closely related to the same basic structure that is broadly disclosed and claimed in the application. As the disclosure progresses from FIGS. 1-4 on to the other drawing figures, additional features and options are disclosed. However, for the most part these additional features and options do not create any significant changes to the basic operational structure and theory as illustrated in FIGS. 1-4. Rather than making any significant changes to the structure of

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FIGS. 1-4, these subsequent drawing figures add features that can be used, consistent with the basic theme and construction of the disclosed invention.

For example, FIGS. 5 and 6 disclose specific styles of manual release features as options to the basic structure of FIGS. 1-4. The basic operation of the structural embodiment in FIGS. 1-4 is not changed by the addition of these features from FIGS. 5 and 6, as these manual release features are simply additional options that can be used.

It is believed that a thorough prior art search by the Examiner directed to the structure of FIGS. 1-4 would inevitably produce references, if any exist, that would be relevant to the additional features represented by FIGS. 5-16, i.e., Species 2-8. As such, there does not appear to be any undue hardship nor any extra burden imposed on the Examiner by asking the Examiner to consider all species and all claims together.

Even if the Examiner decides to maintain the Restriction Requirement and the eight (8) species, and as such not consider all species and all claims together at this time, a further request is being made to consider putting Species 1 and 4 together in view of what is represented and illustrated by FIGS. 7-9. The claims to be considered (claims 1-9), based upon the election of Species 1 corresponding to FIGS. 1-4, do not change. However, the claim listing could change in the future and the option of claiming more specifically the structural details represented by FIGS. 7-9 may be desired. Considering the various features and options represented by the various species, Species 1 and 4 are believed to be the closest in terms of correlation and are respectfully requested to be considered together.

No additional fee is believed to be required for this Response. Please provide any additional extensions of time which are required and charge any additional fees which may be due or credit any overpayments to Deposit Account No. 23-3030.

Respectfully submitted,

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